IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 18TH OCTOBER 2006 / 26TH ASWINA 1928

Bail Appl..No. 5657 of 2006()

CMP.7428/2006 of J.M.F.C.-III, PUNALUR
C.R.NO.21/2006 OF PATHANAPURAM EXCISE RANGE.

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PETITIONER/ACCUSED NO.2:

S. KUNJUMON @ KODUVELI KUNJUMON,
AJO BHAVAN, KOTTAVATTOM MURI,
CHAKKUVARACKAL VILLAGE.

BY ADV. SRI.ALEXANDER GEORGE

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE INSPECTOR,
PATHANAPURAM EXCISE RANGE, PUNALUR.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 5657 of 2006

Dated this the 18th October, 2006.

O R D E R

Petitioner is the second accused in C.R.No.21/2006 of Pathanapuram Excise Range, for the offence punishable under Section 8(1) & (2) of the Abkari Act. The allegation is that the petitioner along with another was found in illegal possession of 30 litres of spirit transported in an auto rickshaw of the petitioner. Petitioner was arrested on 17.8.2006. He remains in judicial custody thereafter. Hence, this application for bail.

2. Heard both sides. The prosecution submitted that there are two other cases registered against the petitioner.

3. Considering that the investigation is nearly completed, and the petitioner is in judicial custody for the last 60 days, I allow this petition, grant bail to the petitioner, and release him from jail, subject to the following conditions:-

i) The petitioner shall execute a bond for Rs.25,000/= (Rupees Twenty Five Thousand only) with two solvent sureties, each for the like sum, to the satisfaction of the Judicial First Class Magistrate Court-III, Punalur.

ii) The petitioner shall report before the Inspector of Pathanapuram Excise Range, once in a week, on every Wednesday, between 10 and 11 A.M., starting from 25.10.2006, for a period of two months.

J.M. JAMES,
JUDGE

nj.